

WALSH

LAW

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October 20, 2022

The Honorable Yvonne Gonzalez Rogers
Oakland Courthouse, Courtroom 1 – 4th Floor

1301 Clay Street, Oakland, CA 94612

RE: MDL 3047 In re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation – Alexandra Walsh Plaintiffs’ Steering Committee Application

Dear Judge Gonzalez Rogers,

I respectfully submit this letter in support of my application to serve on the Plaintiffs’ Steering Committee in the above-captioned matter. Per the Court’s instructions, I have attached my resume (Ex. 1), as well as a list of other plaintiffs’ counsel who have filed cases in this litigation and support my appointment (Ex. 2). I support their appointment as well. I have carefully considered the criteria set forth in the Court’s Order Setting Initial Conference for leadership applicants. As detailed below, I am confident I meet those criteria and can serve as an effective member of the leadership team for this important litigation.

(1) Professional experience in this type of litigation, including MDL experience as lead or liaison counsel and/or service on any plaintiffs’ committees.

As my resume details, I have extensive experience litigating products liability cases, including in the MDL and complex litigation context. I have served as lead trial counsel in multiple products cases and have a long history of litigating the complicated legal issues these cases entail. I also have substantial experience leading large litigation teams, encompassing lawyers from different firms with different specialties and roles. As the Court will see, I developed most of this experience representing defendants, not plaintiffs. Nonetheless, I believe my litigation expertise positions me well to help lead this litigation for plaintiffs.

By way of background, I graduated from Stanford Law School in 2001 and served as a law clerk for both Judge Merrick Garland and Justice Stephen Breyer. I practiced for ten years at Baker Botts and during that time represented clients in multiple trials. As a first-year partner, I had my first stand-up trial experience in a securities fraud case tried before the now-retired Judge Shira Scheindlin, of the Southern District of New York. In 2013, I joined Paul, Weiss as a partner and began to focus my practice on products liability litigation. I represented defendants in MDLs and coordinated state court proceedings involving Hormone Replacement Therapy (“HRT”), Lipitor, and Zoloft. Together with Beth Wilkinson, I tried (and won) the first two trials in the

nation involving allegations of a link between Zoloft and birth defects, both in state court. I also tried the final case in the HRT litigation, which settled before verdict.

In 2016, Ms. Wilkinson and I left Paul, Weiss, to found Wilkinson Walsh, a defense-side litigation boutique dedicated to trying high-stakes cases for corporate defendants. At Wilkinson Walsh, I continued my products liability practice and began serving in a first-chair role. I tried the final state-court bellwether in the Xarelto litigation and served as national trial counsel in the Essure litigation, which settled on the eve of the first trial (and was to take place before Judge Winifred Smith in Alameda County Superior Court). In addition to personal injury cases, I led several class action matters, and tried a consumer fraud class action involving One A Day Multivitamins before Judge William Orrick, of the Northern District of California.

In early 2021, I launched Walsh Law, to pursue a new goal of representing individuals and families as plaintiffs. Thus far, my work has largely involved co-counseling with other plaintiff-side firms in need of first-chair trial counsel. Last fall, I tried a bellwether case in the 3M Product Liability MDL, together with Tom Cartmell of Wagstaff & Cartmell. This spring and summer, I co-counseled with Keller Postman in the Zantac litigation, leading the trial team for a state court case that would have been the first Zantac trial in the country, had the case not resolved before jury selection. In addition, last summer, I began work on the J&J Sunscreen MDL and in August was appointed Plaintiffs' Class Liaison Counsel by Judge Raag Singhal of the Southern District of Florida. Final approval of class settlement is now pending.

Most recently, I have worked closely with the firms leading the charge in the litigation now before the Court. My work has involved assessing threshold legal issues and supporting development of expert strategy. Last month, I co-counseled with Wagstaff & Cartmell to file an action in the litigation on behalf of one of our clients, *T.S. v. Meta Platforms, Inc. et al.* To be involved at the outset of such an important litigation is exactly the kind of opportunity that motivated me to leave the defense side and form Walsh Law.

(2) Names and contact information of judges before whom the applicant has appeared in the matters discussed above.

My resume provides the names of the judges in the matters discussed above as well as their contact information.

(3) Willingness and ability immediately to commit to time-consuming litigation.

I am deeply committed to this litigation and willing and able to commit the time and attention necessary to help drive it forward. The work on the 3M and Zantac litigations that occupied much of my time and my firm's resources for the last two years is now largely complete and we have already begun dedicating substantial efforts to this litigation.

(4) Willingness and ability to work cooperatively with other plaintiffs' counsel and defense counsel.

Collegiality and professionalism are and always have been fundamental to my practice. That many of my strongest working relationships on the plaintiff side are with lawyers who were once my opponents confirms my ability to work cooperatively with those on the other side. The work

I have already done with my co-counsel in this litigation demonstrates our ability to collaborate effectively for the benefit of our clients.

(5) Access to resources to prosecute the litigation in a timely manner.

My law firm is small, but highly effective. Last month, I elevated my long-term colleague, Kim Channick (who was also with me at Paul, Weiss and Wilkinson Walsh) to partner at Walsh Law. Early next year, we will add two new lawyers, both of whom have strong litigation experience, including in expert development, complex e-discovery, and law and briefing. Our firm also has the financial resources necessary to commit to the litigation.

(6) Willingness to serve as lead counsel, a member of a steering committee, or both.

I am willing to contribute to the leadership of the litigation however the Court deems best. I am applying for the PSC in particular because of my utmost confidence in the attorneys who are specifically applying to serve as lead counsel.

(7) Other considerations that qualify counsel for a leadership position.

I am proud of my work as a trial lawyer and of the recognition that work has garnered. In 2018, I received recognition from the *National Law Journal* for our decisive win in the final state-court bellwether trial in the Xarelto litigation. In 2019, I was named a Trial MVP of the Year by *Law360* for our victory in the One A Day Multivitamin class action. In 2020, the *New York Law Journal* elevated to its Verdict Hall of Fame the billion-dollar jury award I helped secure in the securities fraud case I tried before Judge Scheindlin. Most recently, I was inducted as a Fellow in the American College of Trial Lawyers, which limits its membership to “experienced trial lawyers who have mastered the art of advocacy and whose professional careers have been marked by the highest standards of ethical conduct, professionalism, civility and collegiality.”

My extensive leadership experience also well qualifies me for a PSC position. Launching two women-led firms that compete at the highest levels in litigation, business development, and recruiting is and will remain one of the proudest aspects of my career. Over the five years I spent leading Wilkinson Walsh, we expanded to almost forty lawyers, deployed large teams that won important victories for our clients, and made huge progress in building a truly diverse team of elite litigators. And my commitment to diversity remains today. This commitment stems from having seen, time and again, the power of diverse perspectives, backgrounds, and skills in effectively representing and advocating for our clients. If appointed to the PSC, I would serve as a strong voice in ensuring that diverse lawyers have real and meaningful roles in the litigation. As a critical corollary to that, I would provide the mentoring that has been instrumental to my success and to that of the many young and diverse lawyers I have had the privilege to work with and promote over the years.

I thank the Court for its consideration and stand ready to provide any additional information that would be helpful to this important appointment process.

Yours truly,

Alexandra Walsh
Founding Partner, Walsh Law PLLC

Exhibit 1

Alexandra M. Walsh

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Law Firm Affiliations

- Walsh Law PLLC. Founding Partner. January 2021 to present.
- Wilkinson Walsh LLC. Founding Partner. 2016 to 2020.
- Paul, Weiss, Rifkind, Wharton & Garrison. Litigation Partner. 2013 to 2016.
- Baker Botts. Litigation Partner, 2010 to 2013. Associate, 2004 to 2009.

MDL and Complex Litigation Matters

- *In re: Johnson & Johnson Aerosol Sunscreen Marketing, Sales Practices and Products Liability Litigation*, 0:12-md-03015, S.D. Fla.
 - Liaison Class Counsel
 - Hon. Raag Singhal. (954) 769-5430
- *In re: 3M Combat Arms Earplug Products Liability Litigation*, 3:19-md-02885, N.D. Fla. *Carlos Montero v. 3M Company* 7:20-cv-00067, N.D. Fla. (bellwether).
 - MDL Presiding Judge: Hon. M. Casey Rodgers. (850) 435-8448
 - Bellwether Presiding Judge: Hon. K. Michael Moore. (305) 523-5160
- *Essure Product Cases*, JCCP004887, Cal. Super. Ct.
 - Lead trial counsel in personal injury action re Essure, permanent birth control. Resolved prior to trial.
 - Hon. Winifred Y. Smith (ret. 2021). Current Business Phone: (415) 772-0900
- *Farar v. Bayer AG, et al.* 3:14-cv-04601, N.D. Cal.
 - Lead trial counsel in consumer fraud class action involving One A Day Multivitamins.
 - Hon. William H. Orrick. (415) 522-2077
- *Cooney v. Janssen*, Case No. 160602012, Phila Ct. Common Pleas.
 - Lead trial counsel in bellwether for state court coordinated proceeding re Xarelto.
 - Hon. Teresa Sarmina (ret. 2019)
- *Galinis v. Bayer Corporation*, 09-CV-04980, N.D. Cal.
 - Lead trial counsel in personal injury action re Yaz/Yasmin. Resolved prior to trial.
 - Hon. Susan Illston. (415) 522-2028

- *Pesante v. Pfizer, Inc.* 122-CCO-2441-01, Mo. Cir. St. Louis, MO.
Robinson v. Wolters Kluwer Health Inc., et al. Case No. 10700778, Phila Ct. Common Pleas.
 - Lead trial counsel in bellwethers for state court coordinated proceedings re Zoloft.
 - Missouri trial: Hon. Margaret Neill (ret. 2016)
 - Pennsylvania trial: Hon. Mark Bernstein (ret. 2016)

Other Notable Representations

- Trial counsel for Georgia-Pacific in a multi-billion-dollar federal class action alleging Sherman Act violations.
- Trial counsel for the NCAA in federal class action alleging rules limiting athletics-based financial aid and benefits violate the Sherman Act.
- Trial counsel for Liberty Media in action alleging securities fraud and breach of contract by French media conglomerate Vivendi SA.
- Member of trial team defending Scooter Libby, former Chief of Staff to Vice President Cheney, in criminal prosecution for alleged obstruction and false statements.

Clerkships

- Honorable Stephen G. Breyer, U.S. Supreme Court (October Term, 2003).
- Honorable Merrick B. Garland, Us. Court of Appeals for the D.C. Circuit (2001 Term).

Education

- Stanford University, J.D. 2001, with distinction. Order of the Coif. Managing Board, Law Review. Winner, Best Oralist, Kirkland Moot Court Competition.
- Bowdoin College, B.A. 1995. Summa Cum Laude. Phi Beta Kappa. Top Philosophy Prize.

Community Involvement

- Board Member, Washington, D.C. Legal Aid Society (providing legal services to lower-income D.C. residents).
- Board Member, LIFT-DC (providing financial and employment coaching to empower lower-income families to break the cycle of poverty).

Recognition

- American College of Trial Lawyers, inducted 2020.
- Chambers, Commercial Litigation Band 1, District of Columbia, 2020.
- *Law 360* Trial MVP, 2019; *Litigation Daily*, Litigator of the Week, September 2018.; *National Law Journal*, Elite Boutique Trailblazer, 2017; *Washingtonian* Top 40 Lawyers Under 40, 2008

Exhibit 2

I support each of the following applicant's appointments to the positions indicated for this MDL. I understand that the attorneys listed likewise support my appointment to the PSC.

Co-Leads:

Attorney	Firm
Lexi Hazam	Lieff Cabraser
Emily Jeffcott	Morgan & Morgan
Chris Seeger	Seeger Weiss
Joseph VanZandt	Beasley Allen

Liaison:

Attorney	Firm
Jennie Anderson	Andrus Anderson

Plaintiffs' Steering Committee

Attorney	Firm
Ron Austin	Ron Austin Law
James Bilsborrow	Weitz Luxenberg
Paige Boldt	Watts Guerra
Tom Cartmell	Wagstaff Cartmell
Jayne Conroy	Simmons Hanly Conroy
Carrie Goldberg	C.A. Goldberg Victims' Right Law Firm
Kirk Goza	Goza & Honnold
Sin-Ting Mary Liu	Aylstock, Witkin, Kreis & Overholtz
Andre Mura	Gibbs Law Group

Emmie Paulos	Levin, Papantonio, Rafferty
Roland Tellis	Baron & Budd
Previn Warren	Motley Rice
Michael Weinkowitz	Levin, Sedran & Berman